

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

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RAFAEL SOTO,

Plaintiff,

-against-

THE CITY OF NEW YORK, COUNTY OF KINGS,
DISTRICT ATTORNEY CHARLES J. HYNES,
DETECTIVE DANIEL BONILLA, POLICE OFFICER
ADAM FEDER, ASSISTANT DISTRICT ATTORNEY
JOHN GIANNOTTI, ASSISTANT DISTRICT
ATTORNEY LINDSAY GERDES, LIEUTENANT
CHRISTOPHE MARROW, and DETECTIVE BRIAN
MEICHSNER,

Defendants.
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DECLARATION OF GREGORY
MOUTON IN OPPOSITION TO
DEFENDANTS' MOTION FOR
SUMMARY JUDGMENT

12 CV 4241 (MKB) (VVP)

Gregory P. Mouton, Jr., an attorney duly admitted to practice in the Courts of New York, declares, under penalty of perjury and pursuant to 28 U.S.C. § 1746, that the following statements are true:

1. I am attorney for Plaintiff Rafael Soto. As such, I am familiar with the facts and circumstances of this action. I make this declaration in opposition to Defendants' motion for summary judgment pursuant to Rule 56 of the Federal Rules of Civil Procedure.
2. Attached as Exhibit 1 is a copy of the Complaint dated August 14, 2012.
3. Attached as Exhibit 2 is a copy of the relevant portions of the deposition of Plaintiff Masahira Yoshida on February 12, 2014.
4. Attached as Exhibit 3 is a copy of the relevant portions of the deposition of Defendant Daniel Bonilla on January 24, 2014.

5. Attached as Exhibit 4 is a copy of the relevant portions of the deposition of Defendant Lindsay Gerdes on January 16, 2014.

6. Attached as Exhibit 5 is a copy of the relevant portions of the transcript from the videotaped interview of non-party Pablo Dickson on October 20, 2011.

7. Attached as Exhibit 6 are notes made by non-party Masahira Yoshida.

8. Attached as Exhibit 7 is a copy of an email sent from non-party Masahira Yoshida to Defendant Lindsay Gerdes dated October 24, 2011.

9. Attached as Exhibit 8 is a copy of the translation of a text message dated November 28, 2011.

10. Attached as Exhibit 9 is a copy of Property Invoice No. S037732 dated October 24, 2011.

11. Attached as Exhibit 10 is a copy of an email dated January 14, 2014, from Brian Francolla to Gregory Mouton.

12. Attached as Exhibit 11 is a copy of the webpage of urbandictionary.com accessed by the undersigned on November 24, 2014, at www.urbandictionary.com.

13. Attached as Exhibit 12 is a copy of text messages between Plaintiff Raphael Soto and non-party Jonathan Mena.

14. Attached as Exhibit 13 is a copy of a Complaint Follow Up Informational Report dated December 1, 2011.

Dated: New York, New York
November 24, 2014

By: /s/
Gregory P. Mouton, Jr., Esq.
The Law Office of Gregory P. Mouton, Jr.

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To:

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